

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEN DANIELS,

No. CV-09-0388 MMC (PR)

Petitioner,

**JUDGMENT IN A CIVIL CASE**

v.

DERRAL G. ADAMS, Warden,

Respondent.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS SO ORDERED AND ADJUDGED** the instant petition is hereby DISMISSED. Such dismissal is without prejudice to petitioner's filing a new federal habeas petition once he has exhausted his state remedies by presenting his claims to the highest state court.

Dated: July 24, 2009

Richard W. Wieking, Clerk



By: Tracy Lucero  
Deputy Clerk